

McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP
ATTORNEYS AT LAW

1617 JOHN F. KENNEDY BOULEVARD
SUITE 1500
PHILADELPHIA, PA 19103-1815
(215) 557-2900
FACSIMILE (215) 557-2990/2991

MATTHEW A. LIPMAN, ESQUIRE
ADMITTED IN PA AND NJ
Email: mlipman@mdmc-law.com

October 28, 2019

Via ECF

The Honorable Karen M. Williams, U.S.M.J.
U.S. District Court, District of New Jersey
Mitchell H. Cohen Building & U.S. Courthouse
4th & Cooper Streets
Camden, NJ 08101

Re: The HomeSource Corp. v. Retailer Web Services, LLC
D.N.J., Docket No. 1:18-cv-11970-JBS-KMW
Our File No. R0939-1001

Dear Judge Williams:

Your October 11 Order [Dkt. No. 128] requires RWS to substantiate its claims that a disclosure will cause it a clearly defined and serious injury. (Order p. 7.) RWS anticipates submitting a detailed witness declaration to substantiate its claims. The declaration will reveal confidential business information that is proprietary to RWS and to non-parties.

Local Rule 5.3(b)(6) permits a party to file such supporting materials in a redacted form if done pursuant to a confidentiality order, like the Discovery Confidentiality Order [Dkt. No. 22]. However, your Order states that RWS's supporting papers, including its declaration, "must be available for review by the public (meaning ... [it] shall not be filed under temporary seal)." (Order, p. 10.) RWS anticipates filing the declaration in a redacted form for public access through Pacer pursuant to the Discovery Confidentiality Order, and in an unredacted form for the Court. We would be happy to discuss with Your Honor or with your staff should the Court require or prefer a different procedure.

Respectfully,

/s/ Matthew A. Lipman

MATTHEW A. LIPMAN

cc: Alexis Arena, Esquire (via ECF)
Eric R. Clendening, Esquire (via ECF)